

REMARKS/ARGUMENTS

Claims 1-14 and 16-20 are pending. By this Amendment, claim 15 is cancelled, and claims 1-14 and 16-20 are amended. Support for the amendments to claims 1-14 and 16-20 can be found, for example, in the present application at page 3, line 31 to page 4, line 4, and in original claims 1-14 and 16-20. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Personal Interview

Applicants appreciate the courtesies extended to Applicants' representative by Examiner Brunsman during the September 21, 2007 Personal Interview. Applicants' separate record of the substance of the interview is incorporated in the following remarks.

Rejection Under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 3, 4, 6 and 8 as indefinite under 35 U.S.C. §112, second paragraph. Applicants respectfully traverse the rejection.

The Office Action asserts that it is not clear from claims 3 and 4 whether one or the other of the compounds of formula (III) and (IV) need be present in non-zero amounts. *See* Office Action, page 3. The Office Action further asserts that it is not clear from claims 6 and 8 whether components other than water would necessarily be included in formulation 2. *See* Office Action, page 3. With respect to rejection of claims 3 and 4, claim 4 is amended to obviate the rejection. With respect to the rejection of claims 6 and 8, claim 6 is amended to obviate the rejection. Now each of claims 6 and 8 provides that water is present in an amount less than 100 weight percent, allowing for the presence of the other necessary components recited in claim 1, from which claims 6 and 8 depend. Applicants submit that one of ordinary

skill in the art could readily discern whether a two-component system falls within or outside of the scope of claim 3, 4, 6 and 8.

For the foregoing reasons, claims 3, 4, 6 and 8 are definite. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Rejection Under 35 U.S.C. §102

The Office Action rejects claims 1-11 and 13-20 under 35 U.S.C. §102(b) over U.S. Patent No. 5,997,943 to Azzopardi et al. ("Azzopardi"). By this Amendment, claim 15 is cancelled, rendering the rejection moot as to that claim. As to the remaining claim, Applicants respectfully traverse the rejection.

Claim 1 recites "[a] two-component system for equipping a surface with an oil, water, and dirt repellent coating, the system, comprising: a first sealable vessel comprising a formulation 1; and a second sealable vessel comprising a formulation 2; wherein ... the system is configured so that contents of the first sealable vessel and the second sealable vessel can be mixed together shortly before application to the surface" (emphasis added). Azzopardi does not disclose or suggest such a two-component system.

As indicated above, claim 1 is directed to a two-component system including two separate formulations in two separate containers that can be combined immediately before application. The Office Action asserts that Azzopardi discloses a method in which a mixture of silanes is combined with a solvent system including ethanol, water, and an acid catalyst. *See* Office Action, page 2. However, notwithstanding this assertion, Azzopardi fails to disclose or suggest a system in which formulations 1 and 2, as defined in claim 1, are provided in separate vessels such that the formulations can be combined at the time of application.

A mixture formed by, for example, combining formulation 1 and formulation 2 of claim 1, has a limited pot life. *See e.g.*, present specification, page 9, lines 6 to 8. By providing formulations in separate vessels, as recited, in claim 1, the mixture is not created until shortly before application. Kept in their separate containers, formulation 1 and formulation 2 have a storage stability of more than one year. *See, e.g.*, present specification, page 3, lines 3 to 5. The silane mixture and solvent system of Azzopardi are prepared, e.g., in a laboratory setting, and then must be used within 10 minutes to one hour. *See Azzopardi*, column 4, lines 15 to 19. Azzopardi does not provide any guidance relating to the provision of a two-component system having sufficient storage stability to be put to use long after its preparation. Because, the two-component system of claim 1 includes formulations provided in separate containers, the two-component system of claim 1 allows for preparation of coatings of consistent quality over time, not merely within the first few minutes that the system is assembled as in Azzopardi.

As Azzopardi fails to disclose or suggest a two-component system including a first sealable vessel including a formulation 1 and a second sealable vessel including a formulation 2 wherein the system is configured so that the contents of the first sealable vessel and the second sealable vessel can be mixed together shortly before application to a surface, Azzopardi fails to disclose or suggest each and every feature of claim 1.

As explained, claim 1 is not anticipated by Azzopardi. Claims 2-11 and 13, 14 and 16-20 depend from claim 1 and, thus, also are not anticipated by Azzopardi. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Rejection Under 35 U.S.C. §103

The Office Action rejects claim 12 under 35 U.S.C. §103(a) over Azzopardi in view of U.S. Patent No. 5,264,010 to Brancaleoni et al. ("Brancaleoni"). Applicants respectfully traverse the rejection.

Claim 1 is set forth above. For the reasons discussed above, Azzopardi does not disclose or suggest the two-component system of claim 1. Brancaleoni does not remedy the deficiencies of Azzopardi. The Office Action relies on Brancaleoni for its alleged disclosure of employing metal oxide slurries to polish glass surfaces. *See* Office Action, pages 2 to 3. However, Brancaleoni, like Azzopardi, fails to disclose or suggest a two-component system including a first sealable vessel including a formulation 1 and a second sealable vessel including a formulation 2 wherein the system is configured so that the contents of the first sealable vessel and the second sealable vessel can be mixed together shortly before application to a surface, as recited in claim 1. Accordingly, the combination of references fails to disclose or suggest each and every feature of claim 1.

As explained, claim 1 would not have been rendered obvious by Azzopardi and Brancaleoni. Claim 12 depends from claim 1 and, thus, also would not have been rendered obvious by Azzopardi and Brancaleoni. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

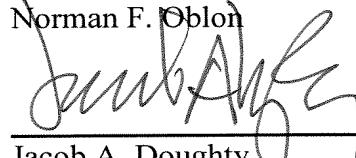
Conclusion

For the foregoing reasons, Applicants submit that claims 1-14 and 16-20 are in condition for allowance. Prompt reconsideration and allowance are respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon



Jacob A. Doughty
Registration No. 46,671

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)